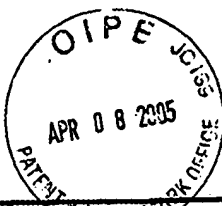


Please type a plus sign (+) inside this box → ☐

HDP/SB/21 based on PTO/SB/21 (08-00)

3743



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|------------------------|-----------------------|
| Application Number | 09/816,014 |
| Filing Date | March 23, 2001 |
| Inventor(s) | Bernd SCHOLLER et al. |
| Group Art Unit | 3743 |
| Examiner Name | Kathryn P. Ferko |
| Attorney Docket Number | 6056-000039/US |

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☒ Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims)

☐ Appeal Communication to Group (Notice of Appeal, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Response to Notice of Non-Compliant Amendment; replacement pages 2-5 of the After Final Amendment filed on 10/22/2003; and replacement pages 1-5 of the Amendment filed on 10/22/2004

Remarks

MAIL STOP AMENDMENT

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | | | |
|-------------------------|----------------------------------|---------------|-----------------|----------|--------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name | Donald J. Daley | Reg. No. | 34,313 |
| Signature | | | | | |
| Date | April 8, 2005 | | | | |

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APR 20 2005

TECHNOLOGY CENTER 03700



PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 09/816,014
Filing Date: March 23, 2001
Applicant(s): Bernd SCHOLLER et al.
Group Art Unit: 3743
Examiner: Ragonese, Andrea M.
Title: PROCEDURE FOR THE CONTROL OF A RESPIRATOR
DEVICE AS WELL AS APPARATUS FOR MONITORING
Attorney Docket: 6056-000039/US

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Amendment

April 8, 2005

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APR 20 2005
TECHNOLOGY CENTER R3700

Sir:

In reply to the Notice of Non-Compliant Amendment mailed March 8, 2005, Applicants attach hereto replacement pages 2-5 of the After Final Amendment filed on October 22, 2003, and replacement pages 1-5 of the Amendment filed on October 22, 2004. The replacement pages include the proper status identifiers next to each claim as requested by the Examiner. In addition, please note that Applicants have corrected the first page of the Amendment filed on October 22, 2004 to read as "AMENDMENT" and not as "PRELIMINARY AMENDMENT".

U.S. Application No. 09/816,014
Attorney Docket No. 6056-000039/US

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By  #35,294

Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

DJD/bof
Attachments